 <b>Internal Case Management System Worksheet - Case Closing</b>					<b>Top Allegation</b> OFFICIAL MISCONDUCT -	<b>Group</b> G21-GROUP 21 <b>Date of This Report</b> 02/19/2019	
<b>Date Reported</b> 06/08/2016	<b>Date Assigned</b> 06/08/2016	<b>IAB Log No.</b> 2016-20507	<b>Case No.</b> (G21) C-2016-668	<b>Folder Type</b> CORRUPTION	<b>Preliminary Case Type</b> OUTSIDE GUIDELINES	<b>Follow-Up No.</b>	<b>Worksheet Tracking No.</b> 3571990

<b>Topic/Subject</b> (Case Closing) CASE CLOSING - SUBSTANTIATED	<b>Activity Date</b> 02/19/2019	<b>Activity Time</b> 00:00
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<b>Referred to Group</b> -	<b>Conferred With</b>	<b>Next Review Date</b>
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**Closing Statement**  
Case # C-2016-0668

Log #  
2016-20507  
2016-22500  
2016-33264  
2016-34102  
2017-41416  
2018-9236  
2019-6819

Subject Officer: Police Officer Eliu Feliciano, Tax# 930133

Date Case Received: 06/24/16

Date of Occurrence: 06/08/16

Administrative Statute of Limitations Expires: 12/08/17

Classification: C1

Investigator: Sergeant Maricruz Crespo, Tax# 940033

Team Leader: Lieutenant Sharon Andrews, Tax# 923511

Overall Case Disposition: Substantiated

Details:

Log #2016-205 07: On 06/08/16, Sgt. Deconne (PBBX ICO) reported to the Command Center (C/C) that he received an email in which the original sender, [REDACTED] stated that [REDACTED] Police Officer Eliu Feliciano, assigned to Patrol Borough Bronx, is the CEO of EF Sports and he should know better than to use his badge and community connection to make profit for his own company, while using community space and resources. The complainant went on to say that [REDACTED] EF Sports does not have a good standing in the community and a lot of dealings were being questioned by various individuals, sponsors and participants. [REDACTED] The complainant claimed that PO Feliciano was running a paid basketball league out of free community space at [REDACTED] and [REDACTED] Gyms.

Log #2016-22500: On 06/24/16, Inspector Griffith (Community Affairs) reported to the C/C that he received a phone call from [REDACTED] Bronx Borough President's Office, who asked for advice in regards to a phone call she received from an IAB Sergeant (case investigator). Inspector Griffith stated that an IAB Sergeant wanted to ask [REDACTED] questions regarding a non for profit organization that she runs with her ex-boyfriend PO Feliciano, PBBX, and that the organization is being investigated for possible fraud. Inspector Griffith stated that he advised [REDACTED] to speak to the Sergeant since she had nothing to hide.

Log #2016-33264: On 09/19/16, the PBBX reported to the C/C that she was notified by the Cable Company the bill for (8) cable boxes have not been paid since January 2015 with an outstanding balance of \$2113.52. However, P.O. Feliciano, Eliu Tax #930133 has been collecting money from MOS throughout the command toward the bill. Lt. Perez further states when it was addressed to P.O. Feliciano, he stated it was a clerical error and a partial payment of \$1,200.00 was made on 09/16/16 with an outstanding balance of \$900.00.

Log #2016-34102: On 09/26/16, Sergeant Deconne reported to the C/C that he would like to provide additional information in regards to IAB log #16-20507, and #16-33264. Sergeant Deconne states that Deputy Inspector Benjamin (PBBX IU) informed Sgt. Deconne of a Facebook post written by PO Feliciano in which he called out [REDACTED] haters [REDACTED] trying to destroy his life.

Log #2017-41416: On 10/23/17, the PO Feliciano reported to the C/C that he received an email from an anonymous sender. The email alleged misconduct/corruption on behalf of [REDACTED] from the Bronx Borough President's Office. Police Officer Feliciano stated he does not know who sent him the email, nor why.

Log #2018-9236: On 03/08/18, Charges and Specifications were preferred against PO Feliciano as a result of an investigation into IA log #2016-33264.

Log #2019-6819 :On 02/19/19, Charges and Specifications were preferred against PO Feliciano as a result of an investigation into IA log #2016-20507.

Identification and Interview of Complainant:

Log #2016-20507: I attempted to ascertain [REDACTED]'s contact information by utilizing DAS Lite, Google, IAPRO, ICIS, and CCRB; the search yielded negative results. According to Public Records, there are only two (2) [REDACTED] or [REDACTED] ellingtons in the system. The first ([REDACTED] DOB: [REDACTED] died in [REDACTED] The second, ([REDACTED] DOB [REDACTED] died on [REDACTED]. An email was sent to reporter [REDACTED] to contact IAB, however s/he never replied.

Log #2016-33264: Sergeant Deconne stated that subsequent to the initial log, PO Feliciano made a payment of \$1,200.00, making the new balance \$969.11. Sergeant Deconne further stated that the account was for the following eight (8) offices: ICO's Office, Bronx Investigations, Community Affairs, Payroll, ASIC, PBBX Wheel, Inspector's locker room, and Borough Adjutant's Office. The total monthly bill was \$55.60, and each office was responsible for \$6.96/month. According to Sgt. Deconne, PO Feliciano would collect \$83.40 per office in the beginning of the year to cover that year's cable expense. In January 2016, PO Feliciano collected \$120.00 from the ICO's office. Sergeant Deconne followed up with PO Feliciano to ascertain if the account is up to date, to which PO Feliciano stated that it would be by the end of the year. Sergeant Deconne stated that all of the offices paid PO Feliciano their portion of the cable bill.

Identification and Interview of Witness(es):

Log #2016-20507:

[REDACTED] stated she met PO Feliciano in 2012 when she attended the Citizen's Police Academy. She stated that PO Feliciano mentioned to her that he wanted to start a nonprofit organization for the community. [REDACTED] informed him that she had experience with nonprofit organizations and they teamed up to start EF Sports. [REDACTED] stated that EF Sports is PO Feliciano's organization, in which she was a board member. She further stated that the company was registered in 2014. The company, "Elevated Future Sports", is supposed to be a nonprofit organization where several (specific amount unknown) basketball teams play a ten (10) week league. The proceeds are then donated to a charity of the organization's choosing, at a charity event hosted by EF Sports.

[REDACTED] further stated that EF Sports promoted basketball tournaments by advertising that City agencies were playing against each other (i.e. NYPD vs. FDNY). However, it was members of such agencies playing, and wearing EF Sports shirts. [REDACTED] had recently discovered that PO Feliciano secured facilities for these games, such as the Sotomayor Center, by saying that City agencies were playing in the league.

[REDACTED] stated that donations were accepted at the door, in cash and check, but no one was turned away if they didn't make a contribution. She stated that a volunteer usually collected the donations, and that checks were deposited into the organizations bank account. She did not know what happened to the cash donations. The Subject Officer also solicited donations via letters bearing his name, which [REDACTED] explained to him that he could not do because he was the CEO.

[REDACTED] stated that she and PO Feliciano got engaged in September 2015. In November 2015, she noticed a discrepancy with EF Sports bank records in which funds were unaccounted for and questionable transactions for hotels and bars. When she confronted PO Feliciano, he revoked her access to the bank account. She also stated that PO Feliciano has used EF Sports funds to purchase a television and couch for his house, although he told people that it was donated to his organization. On another occasion, EF Sports was hosting a charity where they raised \$2,500 to buy Christmas toys for children in the community. [REDACTED] stated PO Feliciano used the money (unknown for what) and refused to replenish the funds so, she and her father used their personal money to buy the toys. In February 2016, their engagement was called off.

[REDACTED] stated that PO Feliciano is operating his charity with no board members, and that Detective Miguel Caldero (PBBX) was listed as a board member without his permission or knowledge.

Several commercial establishment who sponsored EF Sports were also interviewed. They included the following establishments:

[REDACTED] had no knowledge of EF Sports or Eliu Feliciano using the venue as stated by [REDACTED]

[REDACTED] donated a silver chain, worth \$19.99, to EFSports. The store employee stated PO Feliciano never mixed his charity with his job.

[REDACTED] had no knowledge of EF Sports or Eli u Feliciano hosting meetings or receiving donations.

[REDACTED] was unfamiliar with EF Sports, but knew PO Feliciano worked as Community Affairs. The owner stated he provided

services for PO Feliciano at fair market value.

██████████ conducted business with EF Sports, but was unaware that Eliu Feliciano was a Police Officer. The owner stated the last time they fulfilled an order for EF Sports was in July of 2015. They had a difficult time receiving payment for the order, however final payment was received in February 2016.

██████████ from ██████████ stated that sometime in October 2015, he met ██████████ and she told him about EF Sports and the work they were doing in the community. ██████████ made a contribution to the event, which was a basketball game that took place in the winter of 2015. The representative recalled seeing Police Officer Feliciano at that event but, he did not know PO Feliciano was the CEO of EF Sports.

A ██████████ representative stated PO Feliciano never misrepresented himself or used his role as a police officer to gain anything. ██████████ had no relationship/knowledge of EF Sports or PO Feliciano.

██████████ stated the last tournament EF Sports hosted at the facility was a ten (10) week tournament and two (2) week playoff/championship, which was supposed to end June 22, 2016. However, the entire tournament was not completed because there were several issues she had with EF Sports, such as the lack of security at the tournaments and the reckless manner in how the tournaments were supervised. Subsequent to being confronted, PO Feliciano never used the facility again. In regards to the arrangements made for PO Feliciano to use the space, the director stated that she does not know what arrangements he had with the previous director who had since retired.

██████████ played in 2-3 tournaments. He stated the cost of each tournament ranged between \$700 to \$1000. Sometimes he gave the money (cash) to Eliu, and other times he gave it to the "table" which was staffed with kids. He knows Eliu to be a police officer but, stated he never saw him in uniform at the tournaments. Also, Dennis never dealt with Eliu for any reasons other than to play at the tournaments.

#### Review of Department Records:

A review of PO Feliciano's Department emails and although there were negative results regarding any solicitations on behalf of EF Sports, the review did reveal emails, which indicated possible financial stress. On 05/19/15, PO Feliciano forwarded, to his personal email address, an attachment labeled "SLC Retainer 2015". The document is a retainer agreement labeled privileged attorney client communication and stated that the law firm assists borrowers in finding alternatives to foreclosures and the loss of their home. On 08/05/15, PO Feliciano forwarded himself an attachment labeled "Chase RMA". This document was an uncompleted request form for mortgage assistance.

#### Computer and Related Background Checks:

Police Officer Eliu Feliciano

IAPRO: (5) events - Found Narc., Missing Property (unfounded), FADO, Lost/Stolen Item PD, Domestic Inc.

ICIS: (7) cases - Driver Lic. Susp./Revoked, PD item lost, Domestic Inc., and this case

CPI: (3) events - Background Check, Missing Property, and C&S (this case)

PEPR: Appointed 11/15/02

Arrest Activity: (75) total arrests

Force/Discipline Monitoring: None on File

Medals: (1) MPD

Evaluations: last evaluation was for the period of 12/16/14 - 12/15/15 (4)

A financial background check on PO Feliciano revealed he purchased his residence, located at ██████████ on 06/04/10 for approximately \$435,000. The NYS Department of State Division of Corporation records revealed EF Sports, Inc. was active as of 06/02/14. PO Feliciano was not listed on any garnishment reports and a PACER search did not show any lawsuits associated with the subject officer, within the federal court system. There was also no previous petition filed for federal bankruptcy protection. The IRS EIN number for EF Sports is 46-3206232; public charity with a deductibility limitation of 50%.

Group 2 conducted an analysis of PO Feliciano's personal and business (EF Sports) bank records from Municipal Credit Union (MCU) and Chase Bank. EF Sports Chase Bank statements (from 10/18/14 through 08/08/16) revealed two authorized users on the account; ██████████ with debit card # ██████████ and the subject officer with debit card # ██████████. Deposits made by ██████████ totaled \$7,581 and deposits made by PO Feliciano totaled \$20,470. These deposits were inclusive of donations. Other deposits not identified by usage card numbers totaled \$2,450, while overdraft write offs were \$1,079.07 and service fee reversals totaled \$85.27. ██████████'s total expenses were \$2,876.04 and PO Feliciano's total expenses were \$22,382.28. Several of PO Feliciano's expenses revealed transactions from Metro Optics, Crown Plaza Hotel, Michael Kors, Wells Fargo credit card payments, and Apple iTunes.

#### Conferrals Conducted:

In response to IA log 2016-34102, the Psychological Evaluation Section was conferred with. Upon their assessment, it was determined that PO Feliciano was mentally competent.

I conferred with Michelle Weistack, director of Enforcement for the Conflicts of Interest Board. She stated that the alleged conduct of PO Feliciano, if substantiated, violates provision 2604B3, "Misuse City Position", of the NYC Charter. She further stated that if

found to be in violation of the NYC Charter Chapter 68, she will want to prosecute in conjunction with the Department's disciplinary course of action. In regards to EF Sports and its alleged misuse of funds, Ms. Weistack referred me to the Attorney General's Charities Bureau. A follow-up conferral was not conducted because there is no evidence that PO Feliciano used his position as a Community Officers officer for the benefit of EF Sports.

I forwarded EF Sports financial documents to Ms. Kunstler Goldman from the Attorney General's Charities Bureau. She informed me that her office made an inquiry into the organization. However, upon review of said documents and inquiry, I was informed that the Charities Bureau will not investigate the allegations because EF Sports does not meet their \$25K/year threshold. EF Sports had a cumulative balance of \$25K over the course of approximately (3) years, not \$25K per year.

A conferral with the New York State and New Jersey Gaming Commissions was conducted to ascertain if PO Feliciano had a gambling history with either entity. The results were negative.

Several conferrals were made with the Bronx District Attorney's Office, Public Integrity Bureau. In regards to IA log #16-33264 (Optimum Cable), they decided to waive prosecution because PO Feliciano was showing a good faith effort to pay the bill. In regards to IA log #16-20507, I was advised that PO Feliciano's filing of Detective Caldero as a board member amounted to falsifying business records, and offering a false instrument for filing and forgery. However, since the instrument was not filed in Bronx County, she did not have jurisdiction for prosecution.

Subsequent to the Bronx District Attorney's finding, I conferred with the Albany District Attorney's Office. Upon reviewing the contents of this case, it was concluded that the subject officer's actions amounted to a misdemeanor false filing charge, however, due to logistics the Albany County DA's Office would not pursue criminal charges against the subject officer.

After several conferrals with the Department Advocate's Office, Charges and Specifications were preferred against PO Feliciano as a result of the investigative findings from IA Log #16-33264. It was found that PO Feliciano engaged in conduct prejudicial to the good order, efficiency, or discipline of the Department, in that having taken responsibility for paying the PBBX's Optimum cable television account, he wrongfully used the money collected for bill payments for personal or other unauthorized use, and wrongfully failed to make timely payments, which resulted in the account's delinquency of \$2,113.52. Additional Charges and Specifications were preferred against PO Feliciano as a result of the investigative findings from IA log #16-20507.

#### Other Information of Investigative Value:

A request for intelligence on Police Officer Feliciano came back with information, stating the subject officer is well liked. However, no information on any of the allegation was obtained.

#### Patrol Guide Hearings:

##### Log #2016-33264:

Members of the service assigned to the offices outlined in the "details" portion of this report were interviewed. They all stated, in sum and substance, that for approximately ten (10) years, PO Feliciano told them the balance their office owed, and they paid him that amount. The witnesses stated that this was done on a semi-annual, or annual basis, and that they received receipts for their payments. None of the offices ever carried an outstanding balance with PO Feliciano.

Sergeant Deconne, the PBBX ICO, stated that after becoming aware of the outstanding cable balance and the fact that each office had paid Police Officer Feliciano in full, Sergeant Deconne kept confronting Police Officer Feliciano as to why there remained an outstanding balance on the account. Police Officer Feliciano offered several excuses for why he needed more time, including him having experienced health problems. Police Officer Feliciano made another partial payment of \$700 on March 03, 2017, utilizing a different credit card than the one used to make the first partial payment. On March 31st, 2017, Sergeant Deconne confronted Police Officer Feliciano with the fact that there remained a \$388.71 outstanding balance on the PBBX's Optimum Cable account. Police Officer Feliciano indicated that he did not have the funds at that time and had to wait until he receives his holiday check in July. Police Officer Feliciano received his holiday check in July of 2017; however, did not ultimately pay off the remaining balance until November 21st, 2017.

During his Patrol Guide Hearing, Police Officer Feliciano stated that in 2007 he took over the PBBX Optimum Cable municipal account. Initially, he collected money on a monthly basis, then biannually, then annually. He collected approximately \$7 per cable box. Police Officer Feliciano collected cash from each office, and in return, provided a receipt to the person that handed him the money. Other than providing a receipt, Police Officer Feliciano did not account for the funds he collected in any other manner; there were no ledgers, or spread sheets. Police Officer Feliciano confirmed that all offices were paid in full in September of 2016 when Optimum notified the Department of the outstanding balance. Police Officer Feliciano admitted that he used the cash he collected for the cable boxes for his personal use. Police Officer Feliciano's rationale was that since he was using his personal Chase Bank checking account to pay the Optimum Cable bill there would be no distinction between any deposited money; therefore, Police Officer Feliciano concluded that it wasn't necessary to deposit the money he collected and used it as pocket money.

Police Officer Feliciano maintained that he initially utilized the pay-by-phone method to make payments to Optimum Cable than decided to enroll into an automatic monthly recurring deduction plan from his personal Chase checking account. Police Officer Feliciano was under the belief that the cable payments were being deducted until he was confronted by the ICO in September of 2016. Police Officer Feliciano could not articulate a valid reason for not having any knowledge that such deductions were not being made or for why his bank nor Optimum have any record of enrollment in such automatic deduction program. Police Officer Feliciano could not articulate a valid reason for not being able to pay off the outstanding balance after conceding he had

collected said funds; other than to state that the ICO had no problem with Police Officer Feliciano paying off the balance in installments. When repeatedly confronted as to the reason why he did not/could not pay off the balance, Police Officer Feliciano provided conflicting explanations. Police Officer Feliciano maintained that he was in and out of the hospital and was unable to meet with the ICO to make a payment. Police Officer Feliciano subsequently claimed to have written the ICO a check and forwarded it in Department Mail; he could not articulate a valid reason why it was not received. Ultimately, when further pressed, Police Officer Feliciano admitted that he didn't have the funds to pay off the balance, stating that he needed to keep funds in his account to feed his family.

Log #2016-20507:

Detective Miguel Caldero was interviewed by the Bronx District Attorney's Office and questioned under the provisions of Patrol Guide 206 -13 and 203-8. In both interviews, Det. Caldero stated that he worked with Police Officer Feliciano from 2014 to 2016. He stated that they had a professional work relationship, however they did not have a personal friendship outside of work. Detective Caldero knew of EF Sports because he heard Police Officer Feliciano talk about it, however Detective Caldero did not attend any EF Sports, Inc. events, nor did he participate in any other way. Detective Caldero stated that [REDACTED] contacted him sometime in 2016 to inform him that he was listed as board member. Detective Caldero stated he was never asked to be a board member, and did not give Police Officer Feliciano authorization or permission to list him as such. In response, Detective Caldero submitted a letter to Police Officer Feliciano reiterating that he had no knowledge he was listed as a board member and asked for his name to be removed from the Certificate of Incorporation. Detective Caldero stated that when Police Officer Feliciano received the letter, he initially denied Detective Caldero's claim until Detective Caldero stated to him that he saw the Certificate of Incorporation, to which Police Officer Feliciano acknowledged Detective Caldero's statements by signing the letter and writing, "accept form".

During his second Patrol Guide Hearing, Police Officer Feliciano confirmed that he filed for the Certificate of Incorporation in June 2014. He stated that [REDACTED] completed the paperwork with his authority and knowledge. Police Officer Feliciano stated that he was the CEO of EF Sports, [REDACTED] was a secondary director, and the third board member was Detective Caldero. Although Police Officer Feliciano acknowledged the contents of Detective Caldero's letter by signing it, he disputed his claim stating that Detective Caldero knew he was a board member for EF Sports, Inc. because they had a conversation about his role as a board member. Police Officer Feliciano stated that he did not file the appropriate tax forms as required by the IRS because he was misinformed by his tax preparer. Consequently, Police Officer Feliciano stated that he received a letter from the IRS sometime in 2017 stating that due to the violation of exemption requirements, EF Sports was no longer a recognized charity. Police Officer Feliciano stated that he has not taken any steps to remedy the situation.

Police Officer Feliciano stated that EF Sports organized basketball leagues, twice a year, in various locations throughout the Bronx. Police Officer Feliciano stated that the facilities used for EF Sports were separate from the ones where Patrol Borough Bronx Community Affairs conducted their events. He further stated that there were no fees to watch the games. He stated that there were "donations" from the participants, and that money was used to purchase uniforms and pay volunteers/referees. PO Feliciano stated that in addition to the uniforms and paying volunteers, other expenses incurred by EF Sports consisted of toys, turkeys, books, socks and t-shirts to promote the organization. PO Feliciano confirmed that he had a separate bank account for EF Sports with Chase Bank that both he and [REDACTED] had access to. Police Officer Feliciano was shown the aforementioned transactions and asked to clarify if they were business expenses or personal expenses. Although the transactions were made from his debit card, Police Officer Feliciano stated that he could not recall what the Apple iTunes transactions were for, had no idea what the Jet Blue and Michael Kors purchases were for, and stated that the majority of the restaurant transactions were business expenses. In regards to Metro Optics, Police Officer Feliciano first stated it was a business expense, then stated he was not sure. Police Officer Feliciano stated that [REDACTED] does not wear eyeglasses, and glasses were not part of an expense incurred by EF Sports Inc. Although he has personally shopped at Metro Optics in the past, Police Officer Feliciano could not articulate a valid reason for the expense being listed on EF Sports bank statement. Police Officer Feliciano was shown a pending transaction for Crown Plaza hotel and while he admitted to frequenting the hotel for personal business, he could not articulate why the transaction was reflected on the EF Sports bank account.

PO Feliciano stated that the EF Sports basketball leagues were comprised of members from City agencies such as NYCHA, FDNY, and the NYPD. He stated that he did not solicit venue space or merchandise by advertising that these agencies were involved. Police Officer Feliciano was shown a social media post from a merchant called [REDACTED] and asked why they mentioned in their post of EF Sports gear, that it was for the "NYPD". Police Officer Feliciano could not give a valid explanation other than to say members of the NYPD were playing. Police Officer Feliciano was shown several social media posts from EF Sports where "NYCHA" or "FDNY" were advertised as playing. He stated that members of those agencies were participating, but not under the official capacity of their employment with the respective agency. Police Officer Feliciano stated that he never spoke with any agency official to get approval to use the terms "NYPD", "FDNY", "NYCHA".

Police Officer Feliciano acknowledged that he was familiar with the Department's email policy and its prohibitions. He was asked if he ever used his Department email to conduct personal business, to which he stated he could not recall. He was asked if he ever gave out his Department email address for personal business to which he denied. Then he changed his response to he could not recall. PO Feliciano read into record his personal email address which is one in the same with personal emails found in his Department email account, which he used to conduct personal business. Police Officer Feliciano confirmed that personal documents were found in his Department email, but did not recall sending the personal emails, and stated that no one else had access to his Department email account.

Supervisory Deficiencies:

There were no supervisory deficiencies noted in this case.

Conclusion:

Log #2016-33264: Based on the aforementioned investigative findings, it was determined that Police Officer Feliciano misappropriated the funds he collected for the Cable account, admittedly using said funds for his personal use. Police Officer Feliciano's claim that he had enrolled in an automatic deduction payment program was refuted by the fact that there was no such enrollment. His knowledge of such has no bearing on the fact that he misappropriated the funds, because when apprised of the outstanding balance, Police Officer Feliciano did not have the funds to pay it off. Therefore, Charges and Specifications were preferred against Police Officer Feliciano for the following: 1) Engaged conducted prejudicial to the good order, efficiency, or discipline of the Department, in that having taken responsibility for paying the PBBX's Optimum cable television account, wrongfully used the money he collected for bill payments for personal or other unauthorized use. 2) Engaged conducted prejudicial to the good order, efficiency, or discipline of the Department, in that, having taken responsibility for paying the PBBX's Optimum cable television account, wrongfully failed to make timely payments, resulting in the account's delinquency in the amount of \$2,113.52.

Log #2016-20507: Based on the aforementioned investigative findings, it was determined that Police Officer Feliciano; offered a false instrument for filing as outlined in the New York State Penal section 175.30, committed the crime of Scheme to defraud in the second degree as outlined in the New York State Penal section 190.60, committed the crime of Official Misconduct, as outlined in the New York State Penal section 195.00, committed Computer Misuse by using his Department Email for personal business and made misleading statements regarding the above misconduct during an official Department interview.

#### Subjects Involved

Name	Status	Sex	Race	Dob
930133 ELIU FELICIANO POM (163-PATROL BORO BRONX)	UNIFORM MEMBER OF SERVICE	MALE		

#### Allegations







1	Full Allegation	Classification	Allegation Index	Allegation Date	Finding	Finding Date
	Additional Information Prior Log -	NOTIFICATION/Additional Information	ADD-Additional Information	06/24/2016	04 - Info. and Intelligence	02/19/2019
	<b>Comments</b> IAB Log 2016-22500: Insp. Griffith notified the C/C of a call he received from [REDACTED] during a call out investigation into original log 2016-20507.					
2	Full Allegation	Classification	Allegation Index	Allegation Date	Finding	Finding Date
	Firearms Removal Non-Disciplinary - Other	Miscellaneous	O-Miscellaneous Other	09/28/2016	04 - Info. and Intelligence	02/19/2019
	<b>Comments</b> A Log 2016-34102: PO Feliciano's firearm was removed pending a psychological evaluation in response to a social media rant.					
3	Full Allegation	Classification	Allegation Index	Allegation Date	Finding	Finding Date
	Crime (Not Domestic) - Grand Larceny - Other	Crime	O-Crime Other	02/01/2017	07 - Substantiated	03/08/2018
	<b>Comments</b> The S/O committed the crime of Grand Larceny in the amount of \$2,113.52, in that having taken responsibility for paying the PBBX's Optimum cable television account, wrongfully used the money he collected for bill payments for personal or other unauthorized use. Spec #1, first set of Charges & Specifications issued on 3/8/2018.					
4	Full Allegation	Classification	Allegation Index	Allegation Date	Finding	Finding Date
	Computer Misuse -	Abuse of Dept Regulations	COMPMIS-Computer Misuse	11/16/2017	07 - Substantiated	02/19/2019
	<b>Comments</b> S/O wrongfully utilized his official Department e-mail for personal business, including business related to EF Sports, Inc. Spec #3.					
5	Full Allegation	Classification	Allegation Index	Allegation Date	Finding	Finding Date
	Charges & Specifications - Other	NOTIFICATION/Additional Information	CS-Charges and Specifications	03/08/2018	04 - Info. and Intelligence	02/19/2019
	<b>Comments</b> The S/O was issued two sets of Charges and Specifications during the course of this investigation.					
6	Full Allegation	Classification	Allegation Index	Allegation Date	Finding	Finding Date
	Other Dept Rules/Procedures	Abuse of Dept Regulations	VRP-Violation Rules/Procedures	02/19/2019	07 - Substantiated	03/08/2018



	Violation -					
		<b>Comments</b> The S/O failed to pay the PBBX cable bill, in that, having taken responsibility for paying the PBBX's Optimum cable television account, wrongfully failed to make timely payments, resulting in the account's delinquency in the amount of \$2,113.52. Spec #2, first set of Charges & Specifications issued on 3/8/2018.				
7	Full Allegation Crime (Not Domestic) - Other	<b>Classification</b> Crime	<b>Allegation Index</b> O-Crime Other	<b>Allegation Date</b> 02/19/2019	<b>Finding</b> 07 - Substantiated	<b>Finding Date</b> 02/19/2019
		<b>Comments</b> Spec #1: Crime - Offering a false instrument for filing in the second degree:  Said Police Officer Eliu Feliciano, while assigned to Patrol Borough Bronx, on or about June 2, 2014, knowing that a written instrument contains a false statement or false information, said Police Officer offered or presented it to a public office or public servant with the knowledge or belief that it would be filed with, registered or recorded in or otherwise become a part of the records of such public office or public servant, in that said Police Officer wrongfully filed documents registering "EF Sports, Inc." with the New York State Division of Corporations falsely indicating that Detective Miguel Calderone was a member of the board of said corporation, when he was not.				
8	Full Allegation Crime (Not Domestic) - Other	<b>Classification</b> Crime	<b>Allegation Index</b> O-Crime Other	<b>Allegation Date</b> 02/19/2019	<b>Finding</b> 07 - Substantiated	<b>Finding Date</b> 02/19/2019
		<b>Comments</b> Spec #2: Crime - Scheme to defraud in the second degree:  Said Police Officer Eliu Feliciano, while assigned to Patrol Borough Bronx, the 41st Precinct, or the Candidate Assessment Division, on or about multiple occasions between June 2014 and July 2018, engaged in a scheme constituting a systematic ongoing course of conduct with intent to defraud more than one person or to obtain property from more than one person by false or fraudulent pretenses, representations or promises, and so obtained property from one or more of such persons, in that said Police Officer obtained free or discounted usage of venues by falsely representing to one or more persons teams participating in EF Sports, Inc. were associated or				
9	Full Allegation Official Misconduct -	<b>Classification</b> Crime	<b>Allegation Index</b> OM-Official Misconduct	<b>Allegation Date</b> 02/19/2019	<b>Finding</b> 07 - Substantiated	<b>Finding Date</b> 02/19/2019
		<b>Comments</b> Spec #3:  Said Police Officer Eliu Feliciano, while assigned to Patrol Borough Bronx, on or about multiple occasions between March 13, 2015 and August 5, 2015, with intent to obtain a benefit or deprive another person of a benefit, committed an act relating to his office but constituted an unauthorized exercise of his official functions, knowing that such act was unauthorized, in that said Police Officer wrongfully utilized his official Department e-mail for personal business, including business related to EF Sports, Inc.				
10	Full Allegation Official Statement - Misleading Statement - PG	<b>Classification</b> Perjury/False Statements	<b>Allegation Index</b> GO15-PG 206-13	<b>Allegation Date</b> 02/19/2019	<b>Finding</b> 07 - Substantiated	<b>Finding Date</b> 02/19/2019
		<b>Comments</b> Spec #4:  Said Police Officer Eliu Feliciano, while assigned to the Candidate Assessment Division, on or about July 17, 2018, during an official Department interview conducted pursuant to the provisions of Patrol Guide Section 203-08, wrongfully made incomplete, inaccurate, or misleading statements about expenses charged to the bank account for EF Sports, Inc. and use of Department e-mail for non-official purposes.				
11	Full Allegation Charges & Specifications - IAB	<b>Classification</b> NOTIFICATION/Additional Information	<b>Allegation Index</b> CS-Charges and Specifications	<b>Allegation Date</b> 02/19/2019	<b>Finding</b> 04 - Info. and Intelligence	<b>Finding Date</b> 02/26/2019
		<b>Comments</b> The S/O was issued two sets of Charges and Specifications during the course of this investigation.				
12	Full Allegation	<b>Classification</b>	<b>Allegation Index</b>	<b>Allegation Date</b>	<b>Finding</b>	<b>Finding Date</b>

Modified MOS - Other - IAB	NOTIFICATION/Additional Information	ADD-Additional Information	03/03/2019	04 - Info. and Intelligence	03/14/2019
<b>Comments</b> The S/O was placed on Modified assignment at the conclusion of his Suspension.					

#### ATTACHMENT

1	 <u>'Charges &amp; Specifications 2/14/2019'</u>
2	 <u>'Notification of Disposition'</u>
3	 <u>'Administrative Transfer UF49'</u>
4	 <u>'Request for second set of Charges &amp; Specifications'</u>
5	 <u>'Charges &amp; Specifications (cable bill) and perferred UF49'</u>
6	 <u>'Request for Charges &amp; Specifications UF49 (cable bill)'</u>

<b>Reporting Officer:</b>	<b>Rank</b> LCD	<b>Name</b> HEALEY RICHARD	<b>Tax Reg. No.</b> 935002	<b>Command</b> G21-GROUP 21
<b>Reviewing Supervisor:</b>	<b>Manner of Closing</b> 5 - SUBSTANTIATED	<b>Date Reviewed</b> 03/20/2019	<b>Date of Next Review</b>	<b>Name</b> COOPER ALAN
<b>Endorser:</b>	<b>Rank</b> LCD	<b>Name</b> HEALEY RICHARD	<b>Tax Reg. No.</b> 935002	<b>Command</b> G21-GROUP 21
				<b>DateTime Reviewed</b> 03/01/2019 14:11
	<b>Comments</b> APPROVED			
<b>Endorser:</b>	<b>Rank</b> DI	<b>Name</b> HELLMAN RICHARD	<b>Tax Reg. No.</b> 893152	<b>Command</b> G21-GROUP 21
				<b>DateTime Reviewed</b> 03/01/2019 18:03
	<b>Comments</b> APPROVED.			
<b>Endorser:</b>	<b>Rank</b> INS	<b>Name</b> SHEA THOMAS	<b>Tax Reg. No.</b> 899848	<b>Command</b> Z01-ZONE 1
				<b>DateTime Reviewed</b> 03/06/2019 16:10
	<b>Comments</b> 1- APPROVE CLOSING. CHARGES AND SPECIFICATIONS ISSUED CONSISTING OF PENAL LAW CHARGES OF FILING FALSE INSTRUMENT, OFFICIAL MISCONDUCT AND SCHEME TO DEFRAUD. S/O PLACED ON MODIFICATION PURSUANT TO CHARGES.			



<b>Endorser:</b>	<b>Rank</b> DC	<b>Name</b> COOPER ALAN	<b>Tax Reg. No.</b> 885434	<b>Command</b> CRI-CRIMINAL INVESTIGATIONS	<b>DateTime Reviewed</b> 03/20/2019 17:37	<b>Status</b> Approved
	<b>Comments</b> CONCUR, CASE CLOSED.					